

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:
Cabell County Commission v.
AmerisourceBergen Drug Corp., et al.
Case No. 17-op-45053-DAP

MDL No. 2804

Hon. Dan Aaron Polster

**DEFENDANT CARDINAL HEALTH, INC.'S MOTION TO DISMISS
(FED. R. CIV. P. 12(b)(6))**

Pursuant to Case Management Orders One [Dkt. 232] and Four [Dkt. 485], Defendant Cardinal Health, Inc., moves to dismiss the Second Amended Complaint in the above-referenced action with prejudice on the basis that it is barred by the doctrine of res judicata and for the reasons given in the accompanying memorandum of law, which is incorporated herein. Defendant HD Smith joins the motion.

Dated: June 8, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Ashley W. Hardin, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Ashley W. Hardin
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